

FROM THE REPRESENTATIVES OF THE COLORADO RIVER BASIN STATES  
March 2, 2005

Honorable Gale Norton  
Secretary of the Interior  
18<sup>th</sup> & C Streets  
Washington, D.C. 20240

Dear Madame Secretary:

Last August the seven Colorado River Basin States wrote to you requesting assistance with drought management issues associated with the Republic of Mexico. We are encouraged by the teleconference report that Acting Assistant Secretary Tom Weimer and Reclamation Commission John Keys gave to Basin States on February 4, 2005 about the briefings by the Department to the State Department concerning Colorado River issues related to Treaty obligations. We believe the circumstances dictate that full discussions with Mexico begin as soon as possible.

Article 10 of 1944 treaty with Mexico creates an obligation for the two nations to share in shortages of the Colorado River, stating "in the event of extraordinary drought...the water allotted to Mexico under subparagraph (a) of this Article will be reduced in the same proportion as consumptive uses in the United States are reduced". Some representatives of the Colorado River Basin States believe that the Treaty-specific obligation for Mexico to reduce its consumptive uses may already exist. Given the current low levels of Colorado River system water storage and where it will be in near future, now is the time to institute discussions among Interior, the U.S. State Department and the Republic of Mexico officials about the 1944 shortage sharing obligation.

You have asked the Basin States to discuss and propose shortage criteria for Lower Basin States. In our discussions developing such a proposal, it has become necessary to make Colorado River delivery assumptions under the Treaty. Obviously, were a shortage declared by the Secretary, an "extraordinary drought" exists. Because of declining reservoir levels, many Basin State representatives believe the extraordinary drought may have existed prior to any formal shortage declaration in the Lower Basin.

The Colorado River Basin States request that you continue to develop a process about Mexican Treaty issues with the State Department. Further, we request that you advise the Basin States of that process and then meet with the states to discuss how the Basin States will be involved with Interior and the State Department regarding the Treaty issues.

The Basin States believe that a sense of urgency has developed due to the declining level of storage and consumptive use in the Upper and Lower Basins of the Colorado River. Therefore, we suggest that the meetings and process outlined above should occur as soon as possible.

The Honorable Gale Norton  
March 2, 2003  
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Sincerely,

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